

## **SPECIAL MEETING**

**January 4, 1993**

The Special Meeting of the Annapolis City Council was held on January 4, 1993 in the Council Chamber. Mayor Hopkins called the meeting to order at 7:33 p.m. Alderman Gray offered the invocation followed by the Pledge of Allegiance.

Present on Roll Call: Mayor Hopkins, Aldermen Hammond, Johnson, Gilmer, Gray, Snowden, Turner, DeGraff, Moyer

Staff present: City Attorney Hodgson, Planning and Zoning Director Fogarty, Public Works Director Patmore, Central Services Officer Harrison

Pursuant to the requirement of Maryland Annotated Code, State Government Article Section 10-509(c)(2), this statement is included in these minutes:

A closed session of the City Council was held at 7:04 p.m., Monday, January 4, 1993, in the City Attorney's Office.

Members Present: Mayor Hopkins, Aldermen Hammond, Johnson, Gilmer, Gray, Snowden, Turner, DeGraff, Moyer, City Attorney Hodgson, and City Clerk Bembe.

The authority under which the session was closed was Maryland Annotated Code, State Government Article, Section 10-508(a)(1)(8)(i). The purpose of the meeting was to discuss a proposal by the City Attorney for the right to perform certain private legal services beyond the scope of his legal representation of the City of Annapolis. The session was closed by unanimous consent. The Council voted to permit the City Attorney under certain conditions to perform certain private legal services beyond the scope of his legal representation of the City of Annapolis.

### **PUBLIC HEARINGS**

1. **O-30-92** For the purpose of allowing produce stands and Christmas tree sales as permitted uses in certain zones; and all matters relating to said produce stands and Christmas tree sales.

Planning and Zoning Director Fogarty presented a background report on the ordinance.

Planning and Zoning Commission Chair Hennessy presented the Commission's findings.

Mayor Hopkins accepted into the record a Memorandum to the Annapolis City Council from the Planning and Zoning Commission dated 12/3/92 together with Memoranda with attachments dated 8/24/92 and 10/29/92 from the Planning and Zoning Director to the Planning and Zoning Commission.

No one from the general public spoke in favor of or in opposition to the ordinance.

Mayor Hopkins declared the public hearing closed with action to be taken at the January 11, 1993 meeting.

2. Application of Jerry Hardesty, business owner, and Cleo Apostol, property owner, for a conditional use to expand the second floor kitchen of an existing restaurant known as Middleton's Tavern at #2 Market Space, Annapolis.

Planning and Zoning Director Fogarty presented a background report on the application.

Planning and Zoning Commission Chair Hennessy presented the Commission's findings.

Mayor Hopkins accepted into the record a Memorandum to the Annapolis City Council

from the Planning and Zoning Commission dated 12/3/92 together with Memoranda with attachments dated 11/12/92 Revised 11/23/92 and 12/3/92 from the Planning and Zoning Director to the Planning and Zoning Commission.

The applicant, Jerry Hardesty, 2 Market Space, Bob Harrison, General Manager, Middleton's Tavern, 139 Prince George Street, and Gary Schwerzler, architect, 423 Fourth Street gave brief presentations. Also present was Cleo Apostol, property owner.

Mayor Hopkins accepted into the record as Exhibit No. 1 seven color photographs submitted by Mr. Schwerzler:

Speaking in favor of the application:

1. Norman Finkle  
208 King George Street  
Annapolis, Md. 21401
2. Glenn H. Lahman  
88 East Street  
Annapolis, Md. 21401
3. Graham Gardner  
144 Prince George Street  
Annapolis, Md. 21401
4. Lou Hyatt  
5 Constitution Square  
Annapolis, Md. 21401
5. Susie Slye  
318 Sixth Street  
Annapolis, Md. 21403
6. James Deckman  
401 Harwood Lane  
Stevensville, Md.
7. Penny Chandler, Executive Director  
Chamber of Commerce  
1 Annapolis Street  
Annapolis, Md. 21401

Speaking in opposition to the application:

1. Crawford Coyner  
142 Prince George Street  
Annapolis, Md. 21401
2. John Prehn  
220 King George Street  
Annapolis, Md. 21401
3. Roberto Sakin  
Historic Annapolis Foundation  
53 1/2 Cornhill Street  
Annapolis, Md. 21401

4. Bill Page  
8 Martin Street  
Annapolis, Md. 21401
5. Michael Langrehr, President  
Ward One Residents' Association  
204 King George Street  
Annapolis, Md. 21401
6. Carol E. Price  
147 Prince George Street  
Annapolis, Md. 21401
7. Richard Smith  
41 Cornhill Street  
Annapolis, Md. 21401
8. Robert Slawson  
510 Sixth Street  
Annapolis, Md. 21403
9. Arthur Greenbaum  
43 Water Street  
Annapolis, Md. 21401

Alderman DeGraff left at 10:52 p.m.

No one else from the general public spoke in favor of or in opposition to the application.

The following documents were submitted into the record:

- Document No. 1: Letter dated 12/30/92 to Eileen P. Fogarty, Director, Department of Planning and Zoning from J. Jerome Hardesty;
- Document No. 2: Letter dated 12/23/92 to Robert Minatee, Chief of Current Planning from Robert L. Baker, Sanitarian for the City of Annapolis;
- Document No. 3: Letter dated 12/21/92 to Middleton's Tavern from Hernando L. Orduna, Sanitarian, Anne Arundel County;
- Document No. 4: Undated letter from Jerry Hardesty to neighbors;
- Document No. 5: Plans dated 10/22/92 Revised 11/24/92 labeled A-1 through A-5 inclusive.

Mayor Hopkins announced that there would be a seven day written comment period and a seven day written reply period for this application.

Mayor Hopkins declared the public hearing closed with action to be taken at the January 11, 1993 meeting.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 11:00 p.m.

Patricia L. Bembe, CMC/AAE  
City Clerk